

1 **Exhibit C**
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VISTA ENERGY MARKETING, LP,
Plaintiff,
v.
PACIFIC GAS & ELECTRIC COMPANY,
et al.,
Defendants.

Case No. [16-cv-04019-HSG](#)

ORDER DIRECTING PLAINTIFF TO FILE STATEMENT

Defendant's motion to dismiss the Complaint ("MTD") is pending in this matter. Among other things, the MTD seeks dismissal of Plaintiff's Section 2 Sherman Act claim alleging attempted monopolization. The Court notes that on May 19, 2017, the plaintiff in the action titled *United Energy Trading, LLC v. Pac. Gas and Elec.*, 15-cv-2383, stipulated to dismissal of the substantially similar Section 2 Sherman Act claim in that case. The Court further notes that the plaintiff in *United Energy Trading* is represented by the same counsel who represent Plaintiff in this case. Accordingly, the Court **DIRECTS** Plaintiff to file a statement by August 31, 2017 indicating whether it seeks to continue to pursue the Section 2 Sherman Act claim in this case. If Plaintiff seeks to pursue this claim, Plaintiff should explain what, if any, circumstances distinguish this case from *United Energy Trading*.

IT IS SO ORDERED.

Dated: 8/29/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge